John W. Morris (JM-8034) Scott A. Levin (SL-9041) McElroy, Deutsch, Mulvaney & Carpenter, LLP 88 Pine Street—24th Floor New York, New York 10005 (212) 483-9490 Attorneys for Defendant, United States Fire Insurance Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, PENSION, WELFARE and APPRENTICESHIP SKILL IMPROVEMENT & SAFETY Civil No. 08-cv-5346 FUNDS OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 137, 137A, 137B, 137C & 137R, et al., NOTICE OF APPEARANCE

Plaintiffs,

against-

COLUMBUS CONSTRUCTION CORPORATION, NIKAN CONSTRUCTION, INC., CORE CONTRACTING OF NEW YORK, LLC, CANAL ASPHALT, INC. and UNITED STATES FIRE INSURANCE COMPANY,

Defendants,

John W. Morris, of the law firm McElroy, Deutsch, Mulvaney & Carpenter, LLP, hereby enters an appearance in this matter on behalf of Defendant, United States Fire Insurance Company.

Dated: August 28, 2008

By: /s John W. Morris

John W. Morris